1: Tew E-4 (no date) 1950 FT7 Yao FT7

expressed also in the speeches by the marriage sureties. The couple are exhorted to refer disputes to the sureties, and to consult the diviner in case of sickness.[1] After the rite these two sureties have special responsibilities towards the couple; grievances are referred to them, and they must be present when adultery cases are heard in court. If the marriage witness ceremony has not been performed, the relationship is not regarded as legal and no adultery compensation can be claimed by the husband.

Divorce used to be a private affair, which was merely signalized by one party giving to the other an arrow as a token of separation.[2] Nowadays all divorce cases go to court. The woman is usually asked to choose between her husband and the adulterer, and the compensation paid to the former, if she decides to leave him, is higher—amounting to about 10*l*. A man can be sent away from the village by his wife's kin, but if he has given no grounds for divorce he can claim compensation and will also take back any gifts made to his wife. A few small gifts to his mother-in-law are not reclaimed. Divorces are easily obtained and frequent. Grounds for the divorce of a man may include failure to pay hut tax, one of the specific duties of the husband.

The custom of making a marriage payment is recorded by Johnson[3] (on the east coast of Lake Nyasa) as a relatively new adoption. When given it is divided between the bride's father, mother, and mother's brother and brother.[4]

Slavery

Domestic slavery was an important institution in the Yao social system. Slaves were obtained by capture, purchase, or in compensation for injury.[5] A man would pay a debt by giving slaves (wives or members of his matrilineal kin group) to his creditors.[6] A man might voluntarily enslave himself to a man having charge of many women, as a means of obtaining a wife.[7] The children of a free man and a slave woman were not emancipated, as their father could not take them from the village of their mother's master, who had the right to sell them.[8] Slaves took part in the ordinary life of the village; women slaves ranked as junior wives of their masters and shared the usual work of women. Men might be supplied with guns for hunting or might accompany their masters to war, trade for them, spin, weave, sew, make baskets.[9] The institution of domestic slavery was an expression of a dominant motif in Yao culture—the association of status with a large number of dependents. Its abolition by the British was in itself a major blow to the prestige and authority of the chiefs.

Information about the social organization of the Yao in Portuguese East Africa is scanty, but it is in agreement with what is known of the Nyasaland Yao; Heckel, who knew the Yao in Lindi district, Tanganyika Territory, confirms the correctness of Stannus's account of the South Nyasa Yao.

The Yao came into Nyasaland in small parties of kinsmen. Their experience and their superior weapons soon enabled them to dominate the Nyanja among whom they settled, and today they dominate the population of the Southern Province. They are organized into loose groups of villages, under petty, independent chiefs. They seem

[1] Stannus, 4, 1922, p. 245; Hynde, 1895; Johnson, 3, 1922, pp. 69–73; Macdonald, 1882, vol. i; Werner, 1906, pp. 129–32.
[2] 1922, pp. 72–3.
[3] Stannus, 4, 1922, p. 280.
[4] Stannus, 4, 1922, p. 280.
[5] Werner, 1906, pp. 152–3; Stannus, 4, 1922, p. 237.
[6] Stigand, 1909, p. 122 (not a reliable source).
[7] Macdonald, 1882, vol. i, pp. 166–7.
[8] Ibid.
[9] Werner, 1906, p. 273.

2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

village but called it Mtuweni and not Mpumbe village. The positions of the lineages in the village would have become inverted, and the patrilaterally-linked lineage become the dominant lineage. In this way villages may change their name or they may acquire two names, as happened to Mlungu village in Nyambi's area. Here a man called Masalu took over the control of the village. He was the son of the previous Mlungu and the village is known to-day by either of these names. The interesting point is what will happen when he dies, because there are now sisters' sons in a distant lineage old enough to take charge of the village. The rule is, as we have seen, that the matrilineal relatives always have the first claim.

Paternity and Segmentation

It is interesting to note that the paternity of brothers or sisters is not a differentiating feature in these social relationships. In the discussions which have hinged upon the care of sorority-groups I have never heard the paternity of brothers and sisters brought up as a reason why they should hold more or less closely together. The father is important in social life as I point out later, but while groups may be linked through paternity, it does not lead to a second principle of segmentation within the lineage.[1] This is manifestly the result of the fundamental difference in a system of matrilineal descent, where paternity is of less consequence than maternity is in a patrilineal structure. Among the Yao, unlike the patrilineal peoples of Southern and Northern Africa, no marriage payments are made; divorce is easy and frequent, and there are no disputes about the custody of children, who always belong to their mother's group whether they are illegitimate or not.[2] This is consistent with the view of the husband as a mere begetter of children. Among the Yao, the

[1] This aspect of segmentation in patrilineal peoples, with different wives of men as points of fission, is brought out particularly in Evans-Pritchard, E. E., *The Nuer*, Oxford University Press (London, 1940), and *Marriage and the Family among the Nuer*, R.-L.I. Paper, No. 11 (1944); Fortes, M., *The Dynamics of Clanship*, and *The Web of Kinship*; Kuper, H., *A Black Aristocracy*, Oxford University Press (London, 1947).

[2] This has been worked out in Gluckman, M., 'Kinship and Marriage among the Lozi of Northern Rhodesia and the Zulu of Natal', in Radcliffe-Brown, A. R., and Forde, C. D. (eds.), *African Systems of Kinship and Marriage*, Oxford University Press for the International African Institute (London, 1950).

3: Stannus D-5 (ca. 1912) 1922 FT7 Yao FT7

585 drum of her married life begins. The man and woman live together peaceably enough as a rule, each attending to his own sphere of work. The man builds the house, the woman
462 mudo the floors; she sweeps and cooks, she is the hewer of wood and drawer of water. The man hunts, fishes, makes mats, baskets, the grain store, game traps, and bark-cloth; he looks after the tobacco, and makes the snuff, while his wife brews the beer. He it is who fashions the gourd vessels and carves the spoons, while the woman is the potter (Pl. III, 4) and pipe-maker. Together they hoe and together they harvest, but to the woman falls the monotonous drudgery of pounding and sifting the corn for flour.

842 The Yao have a custom like that of the Anyanja. A sister brings to the house of the newly wedded pair a log of green wood from a *mbanga* tree which is very hard; the log
[522] may be two feet in diameter and four feet long. Should the bride not become pregnant before it is burned away, the husband is laughed at and they may both be teased by having
[558] many logs brought to the house. A man who has no children is much despised and there is a saying, "He must have eaten some ground-nuts," punning on the word for a thick-
[837] skinned variety of ground-nut, *chimbuwila*, a word which also means sterility. An impotent man may, with the consent of his wife, introduce some male friend into the house, any children born in consequence being claimed as the husband's. He usually chooses some friend from a distance to obviate any attachment springing up between him and the wife. Two married couples may, all consenting, exchange consorts for the night, but they never live together like this for long periods.

582 There is one well-defined marriage taboo; a man may not marry a woman of his own clan. In the old days, he was also restricted to his own tribe, except in the case of slave
[611] wives and wives by capture. Since the clan is inherited from the mother,[1] a man may not marry the daughters of his maternal aunts, but he may marry his other female cousins.
[587] He may not marry two sisters nor a deceased wife's sister; neither do two brothers marry two sisters.

595 The number of wives is limited only by the husband's ability to provide for them. In addition to free wives, a man might formerly have a number of slave wives. The head wife is called *kusyeto*, the other wives, *mangumbo*. The word given by Macdonald, *akusyeto*,[2] meaning the junior wives, is a Chinyanja word and, I think, wrongly applied.

582 It has been said that a man always marries into the village of his wife. For this reason,
[842] female children are always prized as it means an increase in the number of able-bodied men added to the village. In rare cases, the wife might be taken to the husband's village,
[583] as is the Anyanja practice.[3] This, of course, is true in the case of chiefs and headmen. Here, we may also note that no payment is made for the wife and no dowry is received with her.

584 To revert to betrothal, occasionally the sponsors will not agree to the marriage and a
843 runaway match takes place, but in the end, the marriage is usually regularised by the sponsors coming to an agreement. If, however, the woman has in the meantime become

[1] Vide infra, p. 283. [2] Op. cit., p. 134. [3] Stannus, op. cit., p. 309.

10: Barnes E-5 (1946-1949) 1959
FR5 Ngoni FR5
Mpezeni
Yao FT7

N Y 648 691 The Yao are mistrusted more than any other tribe, and some of the decisions taken by the courts are harsh on Yao. For example, a Yao man who was married to an Ngoni woman had, it was alleged, caught venereal disease from his wife. His wife then applied to the courts for a divorce, which was granted, together with the custody of the children. No bride-wealth had been paid in the marriage, but the husband now offered to pay in order to retain the children. This bride-wealth was refused by the woman's parents. The Yao appealed, but the judgement was upheld, and in addition he was ordered to go back to Nyasaland at once. He asked for permission to return to the woman's village in order to collect his belongings, and this was granted by the court, after first securing agreement between the couple as to the extent of his possessions, to wit, four plates and two beds. This deportation order was made despite the fact that the Yao had been living with his wife for twenty-one years. If a man of some other tribe had been involved, it is unlikely that he would have been ordered to leave the country, nor would the court have been so suspicious of his trying to take away more than his rightful share of the household possessions.

N Y 648 583 A Yao, who had a good job in Fort Jameson, once offered 30*s.* to the Paramount Chief when he was in the town as the legalization payment for a woman of the royal lineage whom he wished to marry. The Paramount Chief refused the money on the ground that the man was a Yao and he was not going to permit Yao to marry into the royal lineage, despite the protest of one of his lieutenants that the Yao was just a man like anyone else.

N 186 609 N Y 648 The reason that is given for this dislike of Yao is that they are sexually very virile, due to the medicines that they possess for increasing potency. It is perhaps significant that the same is said of Indians, who are also disliked. The Yao are known among the Ngoni for their great knowledge of medicines of all kinds, and the allegation of unnatural sexual vigour may be a rationalization of the fear that the Yao may practise sorcery among the families into which they marry. Another factor that may operate is that the Yao are the only tribe in the region that the Ngoni cannot claim to have conquered.

Political Relations with Other Tribes

N 648 721 Before the European conquest relations between the Ngoni and other tribes were principally those of raiders and raided. The great season for raiding was after the harvest, when the surrounding tribes